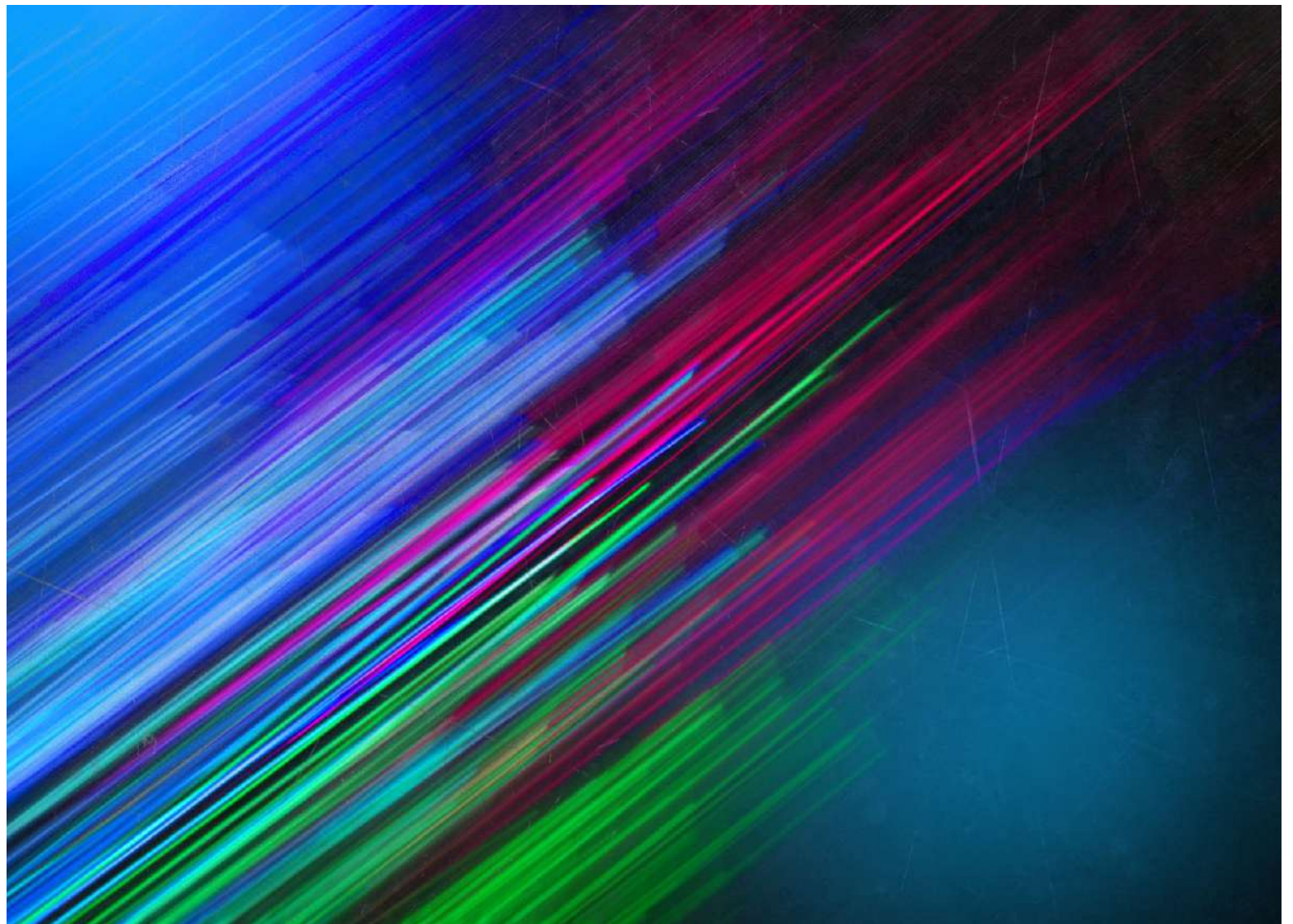


Newsletter

July 2023



■ The Ministry of Tourism and Environment has issued for public consultation two draft Decisions related to environmental permits on June 12, 2023.

Ervana Cullhaj

The Ministry of Tourism and Environment has issued for public consultation two draft Decisions related to environmental permits on June 12, 2023.



These draft Decisions reflect the legal changes regarding the type of environmental permits, their transfer, and their fees.

The first proposed draft is: "On Amending and Supplementing the Decision No. 419, issued on June 25, 2014, by the Council of Ministers, 'On Approving Specific Requirement for Examination of Requests for Environmental Permits of Types A, B, and C, Transfer of Permits, and Criteria for the Respective Environmental Permits, Including Detailed Review Rules by Competent Authorities until Permits are Issued by the National Business Center (NBC)'," as amended.



The primary intent behind this prospective legislation is to harmonize it with recent amendments introduced by Law No. 10448, dated 14.07.2011 "On Environmental Permits."

A further purpose is to enhance the efficiency of the environmental permit application process by minimizing processing durations and alleviating any undue financial strain associated with the procedure.

Ervana Cullhaj

In agreement with the modifications to Law No.10448/2011, the proposed draft decision suggests a two-level system of environmental permits, namely permits of type A and B, thereby removing the now-repealed Type C environmental permits.

The proposed draft decision also implies an institutional restructuring. Specifically, the State Inspectorate of Environment, Forests, and Waters will no longer be an inspection body, but will serve as a directorate under the National Environment Agency's umbrella.



Additionally, the proposed draft decision recommends to change the procedure for reviewing requests with the aim to facilitate any entity that applies for type A and B environmental permits, leaving space in case of irregularities, to complete the documentation required by law within 5 days from the notification date from the e-Albania portal, without additional financial costs, and to be equipped with environmental permit within the most reduced terms. It is proposed that the review duration for a Type A permit applications be 43 (forty-three) working days from the existing term of 60 (sixty) working days.

Similarly, the review duration for Type B permit requests is expected to be 32 (thirty-two) working days from existing term of 40 (forty) working days.

Ervana Cullhaj

The second proposed draft, with was issued for public consultation is: "On some changes in decision no. 417 dated 25.06.2014 of the Council of Ministers "On the approval of environmental permit fees".

According to the proposed draft, through the amendment of this draft decision, the aim is to intervene and eliminate the provisions regarding type C environmental permits, already repealed with the legal changes of 2020, in law no. 10448, dated 14.07.2011 "On environmental permits", as amended.

Also, in order to avoid problems that may be encountered during the payment of annual fees where the entity with the same name may have 2 or more environmental permits, the identification number of the operator's environmental permit (PN) has been added.

Through the relevant PN number, the subject can directly proceed with the payment of the annual fees of the activities that have been equipped with type A or B environmental permits ■





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